

Amendment dated JAN 4 2007

After Final Office Action of October 30, 2006

REMARKS

Upon entry of the instant amendment, claims 1-2, and 6-14, 16-20 and 22-24 will remain pending in the above-identified application and stand ready for further action on the merits, with claims 11 and 19 being objected to, and claims 1-2, 6-10, 12-14, 16-18, 20 and 22-24 standing rejected.¹

Claims 1-2 have been amended to incorporate limitations previously recited in claim 15, which is cancelled herein. Claims 3 and 21 have been cancelled, and claim 24 has been amended to correct an inadvertent spelling error noted by the Examiner in the outstanding office action, wherein the phrase “meth” was inadvertently typed as “meta”. New matter is not introduced by the present amendments. The specification has also been amended to delete the paragraph at page 21, lines 13-15, which supported prior claim 21. The deletion of this paragraph in no way have an effect on remaining pending claims 1-2, 6-10, 12-14, 16-18, 20 and 22-24, which find full written description and enablement support under 35 USC § 112 in the originally filed specification.

The deletion of claim 21 and the paragraph occurring at page 21, lines 13-15 of the specification are not related to any prior issues. Instead these amendments are made so as to remove/remedy an inadvertent error that occurred when drafting the original specification and claim 21, wherein units of “mg/g” were incorrectly set forth, instead of the correct units of

¹ In the Office Action Summary the USPTO indicates that claims 11, 15 and 19 are objected to, but the office action itself only mentions 1) an objection to claims 3 and 24 at page 2 (due to alleged informalities) and 2) an objection to claim 15 at page 6 (due to dependency on a rejected base claim). Correction of USPTO records on this point is respectfully requested.

Amendment dated JAN 4 2007

After Final Office Action of October 30, 2006

“mg/kg”. These amendments are also presented for purposes of expediting further prosecution of the case to allowance.

The amendments made herein to the specification and claims do not raise any new issues for the Examiner's consideration or require any further search or consideration on the Examiner's part. For example, the amendments to claims 1-2 simply incorporate limitations from allowable claim 15, based on the Examiner's comments at page 6 of the office action, with the remaining amendments to 24 simply follow suggestions made by the Examiner at page 2 of the office action. Accordingly, entry of the instant amendment and early and favorable action on the merits is earnestly solicited at present.

Allowable Subject Matter

At page 6 of the office action, the Examiner indicates that claim 15 is objected to for being dependent on a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

In the instant amendment, claims 1 and 2 have been amended to recite the limitations previously recited in claim 15 of “...wherein the paper quality improver provides a paper quality improver effect of a standard improved ratio in burst index of ≥ 502 or more.” Accordingly, based on this recitation in each of independent claims 1 and 2, it is submitted that all of instantly pending claim 1-2, 6-14, 16-20 and 22-24 are novel and non-obvious over the cited art of record.

Amendment dated JAN 4 2007

After Final Office Action of October 30, 2006

Claim Objection

Claims 3 and 24 have been objected to based on minor informalities occurring therein. In the instant amendment claim 3 has been cancelled and claim 24 has been amended so that these informalities have been corrected and/or removed from claim 24. Accordingly, withdraw of the claim objection is warranted at present.

Claim Rejection

Claims 1-2, 6-10, 12-14, 16-18 and 20-24 have been rejected under the provisions of 35 USC § 103(a) as being unpatentable over Lin et al. (US 5,374,334) in view of Anderson et al. (Re. 28474). Reconsideration and withdraw of this rejection is respectfully requested based on the following considerations.

Each of independent claims 1-2 now recite the limitation previously recited in claim 15 (which claim has now been cancelled to prevent a redundancy with amended claim 1). Since the Examiner indicated in the outstanding office action that claim 15 recites allowable subject matter, it naturally follows that each of pending claims 1-2, 6-14, 16-20 and 22-24 are non-obvious over the cited combination of Lin et al. (US 5,374,334) in view of Anderson et al. (Re. 28474).

Any contentions of the USPTO to the contrary are respectfully traversed at present.

Amendment dated JAN 4 2007

After Final Office Action of October 30, 2006

CONCLUSION

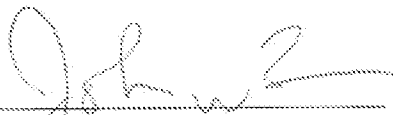
Based upon the amendments and remarks presented herein, the Examiner is respectfully requested to issue a Notice of Allowance clearly indicating that each of pending claims 1-2, and 6-14, 16-20 and 22-24 are allowed and patentable under Title 35 of the United States Code.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact John W. Bailey (Reg. No. 32,881) at the telephone number below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.14; particularly, extension of time fees.

Dated: January 4, 2007

Respectfully submitted,

By 
John W. Bailey
Registration No.: 32,881
BIRCH, STEWART, KOLASCH & BIRCH, LLP
8110 Gatehouse Road
Suite 100 East
P.O. Box 747
Falls Church, Virginia 22040-0747
(703) 205-8000
Attorney for Applicant